



House Policy Committee  
Congress of the United States  
Washington, DC 20515-6549

## Policy Statement on Election Reform

November 29, 2001

### Election 2000: A Call To Action

The 2000 presidential election was a source of controversy. Voters were astounded by weeks of constant, intense election coverage following election night. They had a broad array of things to be concerned about, including outdated voting machines and procedures, potentially confusing ballots, allegations of ballot tampering and biased reporting, disenfranchisement, and unethical practices to garner votes. But the election highlighted a central fact upon which everyone can agree: the election process in many parts of the country must be reformed.

### House Administration Committee Principles

- **Congress must resist the urge to federalize what is constitutionally the prerogative of states and localities.** Federal mandates, intervention, and regulations are not an appropriate exercise of federal authority. Congress should empower the duly elected state and local officials, not dictate to them.
- **Congress must examine ways to eliminate vote fraud.** The days of the “cemetery vote” and other “ghost” voting must end. Ethical elections should be the goal of every elected official.
- **Congress must address disenfranchisement.** Minorities and those residing in economically disadvantaged communities should have the same access to reliable voting machines as other citizens. Also, intentional disqualification of the ballots of those who serve in the military is an atrocious affront to our brave service men and women who risk their lives daily. “One person, one vote” is a principle that crosses all party lines.

### Voting Equipment Modernization

Elections are run at the state and local levels, with most ballot casting and counting occurring at the county or parish level under state supervision. Since the 2000 presidential election, nearly every state has examined its own method of voting. Wisely, states have realized that reforms are needed in their election processes, and have acted. Congress should keep the hard work of these legislatures in mind as it works toward election reform, and assist, not undermine, their efforts.

**First, the federal government should carefully and fairly fund the adoption of improved voting methods for those that choose to upgrade.** States and localities should not

be required to purchase or lease expensive new machines, but additional funding should be made available to those that choose to do so. States and localities seeking federal financial assistance should meet certain conditions:

- The new methods must be reliable and resistant to fraud or sabotage.
- States should take aggressive measures to ensure accuracy in the voter rolls, which helps eliminate fraud.
- Congress should reject voting methods or machines that allow a printout or readout of an individual voter's completed ballot. Voters have an absolute right to the secret ballot.
- When purchasing new equipment, states and localities should make voting machines accessible for the visually impaired and people with disabilities.

**Second, the positive role of the Office of Election Administration, which collects data and provides standards for technology to states, should be strengthened.** The Office of Election Administration (OEA), currently located at the Federal Election Commission, should be adequately funded. The Federal Voting Machines Standards Commission should update its 1990 standards, with regular updates thereafter. The OEA can help monitor and provide the link between individual states and the federal government to track and promote reform.

### **Protections Against Vote Fraud**

Vote fraud is a frontal assault on representative government. The principles of self-rule are undermined by fraudulent or unscrupulous behavior. While auditing its voter rolls, Michigan encountered one million duplicate registrations out of approximately nine million registered voters. Los Angeles County audited its rolls, and estimated that 25% of all registrations have problems or incorrect information.

For actual votes, both privacy and accuracy concerns are important. However, in terms of voter registration, accuracy is paramount. Accurate voter rolls will help address allegations of disenfranchisement by those who attempt to vote, but are unable to do so because of inaccuracies.

To help make voter rolls more accurate, the National Voter Registration Act of 1993, also known as "Motor Voter," must be refined. When Motor Voter was being considered, supporters argued that it would increase voter registration (a goal everyone supports), which would in turn increase voter participation (another laudable goal). To date, however, there has been little or no progress in these areas. The U.S. Census Bureau reports that three million registered voters did not vote because of registration problems, some of which were created by Motor Voter.

Congress should move forward to eliminate opportunities for abuse under Motor Voter so that clean elections are a primary goal of the law. These reforms include:

- A limit on how long a registered voter who does not vote can be kept on the voter rolls.

- Protections to ensure the integrity of mail-in registration, including the use of information from Postal Service change-in-address forms.
- A compromise to ensure that no coercion occurs at public assistance offices regarding party registration.
- A provision to allow states to require proof of citizenship upon request, and measures to ensure that only U.S. citizens are registered.
- Making voter registration information available in public assistance offices, public schools and libraries, fishing and hunting license offices, post offices and revenue offices, and marriage license bureaus.
- Repeal of weakened penalties for public corruption.
- Special protections against vote fraud when same-day registration and voting is permitted.

### **A Uniquely Federal Responsibility: Military Voting**

The controversy surrounding the 2000 election exposed a situation that should concern every American—the documented and systematic attempt by certain trial lawyers and political operatives to disqualify the absentee votes of our Armed Services personnel serving overseas. Americans were rightly appalled by these efforts.

Because overseas military personnel are residents of a state, but serve the nation collectively in remote and sometimes mobile locations around the world, they typically must vote by absentee ballots. The current patchwork of state laws for requesting and receiving absentee ballots is cumbersome, and can be particularly problematic for our military personnel stationed overseas. Therefore, the unique role of the federal government should be carefully asserted in this area.

Congress should immediately strengthen and clarify the Federal Uniformed and Overseas Absentee Voting Act to make it easier for military personnel to receive, cast, and have their ballots counted. Congress should direct the Defense Department to carefully consider electronic voting for overseas uniformed personnel. The Department should also examine the potential role of “Unit Voting Assistance Officers,” or some other form of temporary designation officers, to assist all military personnel in exercising their voting rights.

Sadly, reforms passed by the House regarding military voting have been blocked by members of the Senate in the recent past. Republicans must insist that reforms to protect the voting rights of military personnel are a necessary part of any election reform bill. If a man or woman in the military or his or her family made a good faith effort to vote, then that vote deserves to be counted. Overseas Armed Service personnel and their families make plenty of sacrifices. Their votes should not be one of them.

### **The Media Projection Problem**

Another problem highlighted by the 2000 election is the issue of networks prematurely “calling” or awarding a state to a particular candidate. This occurred before the polls in a

particular state had closed (Florida) and before sufficient data was obtained to determine the winner with anything near certainty in several other close states (Iowa, New Mexico, Oregon, and Wisconsin). As virtually the sole source of information on election night, television networks have a responsibility to report the facts in a clear, correct and unbiased manner.

The reasons cited for the media's poor performance on election night included the use of only one source of data for election information (Voter News Service), hyper-competition between the networks to release data first, little hard scrutiny of its data before its release, and insufficient standards for data. Recommendations for improvement are extensive and varied. However, there is a consensus on some core ideas:

- Voter News Service (VNS) has determined that it must study and improve its data collection and verification procedures. The networks that jointly fund and own VNS strongly support this proactive move.
- Networks should, and have stated they would, not announce a winner of any state until all polling locations in that particular state are closed.
- Networks should agree to use hard data from actual returns to verify other sources. More resources on the ground in states and more extensive and sophisticated data interpretation must be used in the future.
- The outrage felt by voters last November was made far worse by a lack of full understanding of how elections actually transpire. Therefore, as a civic matter, networks have agreed to run more stories at election time about how votes are counted, how the Electoral College works, and how the mechanics of an election proceed.

A national poll closing time for federal elections enjoys less consensus, but clearly deserves continuing thought and attention. At this time, each of the major networks has endorsed the creation of a national poll closing time for federal elections, stating that this change would address concerns that election night coverage beginning in the East affects turnout in the West. Congress should examine carefully any effects this change might have on voter turnout and weigh whether this idea is consistent with the traditional role of states in running their own elections.

## Conclusion

Ensuring fair and honest elections by reducing fraud, improving voting techniques, eliminating disenfranchisement, and respecting the constitutional role of states and localities should not be partisan or controversial issues.

The fundamental system, which has been in place since our nation's beginning, from the First Amendment to our basic system of elections, is sound. However, as with all things, periodic and regular improvements can and should be made to the mechanics of democracy to continue and build upon our collective faith in it. We have seen these principles work. It is our highest calling to ensure that they continue to do so.